



JOHN ELIAS BALDACCIO

GOVERNOR

STATE OF MAINE  
DEPARTMENT OF EDUCATION  
23 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0023

SUSAN A. GENDRON

COMMISSIONER

February 19, 2008

Alan Hawkins, Superintendent  
Cape Elizabeth School Department  
PO Box 6267  
Cape Elizabeth, ME 04107

Dear Superintendent Hawkins:

Thank you for the revised Alternative Plan that you submitted on behalf of Cape Elizabeth School Department on January 25, 2008 for Department review for compliance with the school reorganization law, P.L. 2007, chapter 240, Part XXXX.

Members of my staff and I have completed the review of the plan. Below is a list of our findings and identification of any additional information/revisions.

**FINDINGS:**

- The plan submitted as of January 25, 2008 will be approved once the additional information/revisions listed below is received.

**ADDITIONAL INFORMATION/REVISIONS:**

- The Alternative Plan Submittal Sheet is missing; please include a Submittal Sheet for both your November 30, 2007 and January 25, 2008 filings with your revisions.
- For clarity, as you prepare your statement on adverse impact, please consider using language similar to that in P.L. 2007, chapter 240, Part XXXX-36(6)(F) that "... the projected expenditures in FY 2008-2009 for system administration, transportation, special education, and facilities and maintenance will not have an adverse impact on the instructional program" by providing an assurance to that effect.

**SUBMISSION OF ADDITIONAL INFORMATION/REVISIONS:**

Please provide the additional materials to complete your plan by March 28, 2008.  
Please include:

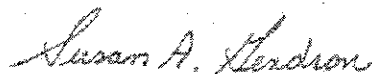
- Any additional information/revisions required
- An updated Submittal Page
- An updated Cover Sheet Checklist, if anything has changed with the new submission
- A copy of this Response from the Commissioner.

I will respond no more than 14 days after the revisions/additional materials are refiled with the Department. As you are the contact person identified on the Submittal Sheet, this response is addressed to you but with the understanding that you will share it with your school administrative unit board members.

Finally, what I am reviewing for approval is a plan (or a submission, if the plan is incomplete) which is by its very nature prospective, with steps yet to be taken or finalized; and any review comments or approval given are in relation to the elements required under P.L. 2007, chapter 240, Part XXXX but not the legality of all the activities proposed. Thus, I strongly recommend that you have your own legal advisor(s) review the details of any particular transaction proposed in your plan (particularly with respect to the disposition of property, to debt, and to employee contracts/relations) as you proceed, to ensure the legality of the steps you'll be taking to implement the plan. If that review leads to any substantive changes in any parts of your plan, please be sure to submit an amended plan to the Department for our review and our file.

Again, my sincere thanks for your efforts.

Sincerely,



Susan A. Gendron  
Commissioner of Education